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09/454,770	12/03/1999	CLIFFORD C. THOMPSON	2849/0G277	4218

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DARBY & DARBY P C  
805 THIRD AVENUE  
NEW YORK, NY 10022

EXAMINER

ROBINSON BOYCE, AKIBA K

ART UNIT

PAPER NUMBER

3623

DATE MAILED: 07/30/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/454,770	THOMPSON, CLIFFORD C.
	Examiner Akiba K Robinson-Boyce	Art Unit 3623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1) Responsive to communication(s) filed on 09 May 2002.

2a) This action is **FINAL**.      2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4) Claim(s) 1-39 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-39 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some \* c) None of:

1. Certified copies of the priority documents have been received.

2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5

4) Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.

5) Notice of Informal Patent Application (PTO-152)

6) Other: \_\_\_\_\_.

## DETAILED ACTION

### ***Status of Claims***

Claims 1-39 are presently pending in this application. Claims 1-9, 11-16, 18-19, 21-27, 29-34, 35, 37, 39 are rejected under 35 U.S.C. 102(e) as being anticipated by Ramsden, et al (US Patent 6,105,014). Claims 10, 20, 28, 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ramsden, et al (US Patent 6,105,014). Claim 17, is rejected under 35 U.S.C. 103(a) as being unpatentable over Ramsden et al (US Patent 6,105,014) and further in view of Scally et al (US Patent 6,003,010).

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

Claims 1-9, 11-16, 18-19, 21-27, 29-37, 39 are rejected under 35 U.S.C. 102(e) as being anticipated by Ramsden, et al (US Patent 6,105,014).

As per claim 1, Ramsden, et al discloses:

Dispatching the carrier to the location... (Col. 11, lines 9-15, lines 53-56);

Accessing the secure receptacle...(Col. 9, lines 51-61);

Placing the parcel within the secure receptacle...(Col. 9, lines 61-63);

Securing the secure receptacle...(Col. 13, lines 58-62);

automatically registering the placement of the parcel...(Col. 2, line 57-Col. 3, line 4, [providing receipt]).

As per claims 2, 22, Ramsden, et al discloses:

reading a code on the parcel in response to the securing step...(Col. 18, lines 34-44).

As per claims 3, 23, Ramsden, et al discloses:

accessing a remote location by a communication link...(Col. 24, lines 26-32);

conveying the placement data to the remote location...(Col. 24, lines 33-37);

wherein the registering step is in response to and contemporaneously with the securing step...(Col. 2, lines 57-67, [where registering is analogous to providing the receipt]).

As per claims 4, 19, Ramsden, et al discloses:

wherein the secure receptacle has a locked state and an unlocked state...moving from the locked stat to the unlocked state...(Col. 13, lines 58-62, Col. 14, lines 35-44).

As per claims 5, 21, 33, Ramsden, et al discloses:

wherein the authorized identifier is received from at least one of ...a key pad.../wherein the access device is configured to receive at least one of:...a code from a keypad...(Fig. 8, [226]).

As per claims 6, 31, Ramsden, et al discloses:

wherein the secure receptacle has a locked state and an unlocked state, and where the securing step includes...moving from the unlocked state to the locked state.../wherein the lock secures the door...(Col. 14, lines 45-54).

As per claims 7-9, 24-27, Ramsden, et al discloses:  
including the additional step of generating a log entry in response to the securing step...(Col. 10, lines 32-45).

As per claim 11, Ramsden, et al discloses:  
Generating a pick-up request with shipping information...(Col. 2, lines 47-55);  
Transmitting the pick-up request for the vicinity...(Col. 11, lines 9-15 and lines 53-56);  
Dispatching the carrier to the location of the secure receptacle...(Col. 29, lines 20-23, Col. 11, lines 9-15 and lines 53-56);  
accessing the secure receptacle...(Col. 29, line 28-31);  
removing the parcel from the secure receptacle...(Col. 29, lines 34-37);  
registering the removal of the parcel...in response to and contemporaneous with the removing step...(Col. 29, lines 31-34, Col. 2, line 65-Col. 3, line 4, [where registering is analogous to providing the receipt]).

As per claim 12, Ramsden, et al discloses:  
labeling the parcel in preparation for shipping with shipping information including an identification of the location of the secure receptacle...(Col. 21, lines 33-35);  
placing the parcel in the secure receptacle...(Col. 21, lines 35-38);  
in response to the placement of the parcel within the secure receptacle, automatically notifying a carrier of the shipping information...(Col. 9, lines 51-Col. 10, line 9, Col. 11, lines 10-16).

As per claim 13, Ramsden, et al discloses:  
including the additional step of securing...(Col. 21, lines 59-62).

As per claim 14, Ramsden, et al discloses:  
generating a code...(Col. 21, lines 22-26);

affixing the code...(Col. 21, lines 33-35).

As per claims 15 and 16, Ramsden, et al discloses:

wherein the notifying step includes the step of transmitting the placement data.../wherein the notifying step includes the steps of : accessing a remote location by a communication link...(Col. 24, lines 26-32 and lines 38-43).

As per claim 18, Ramsden, et al discloses:

electronically measuring the parcel dimensions...(Col. 3, lines 7-8);

electronically measuring the parcel weight...(Col. 3, lines 8-10);

As per claim 29, Ramsden, et al discloses:

a secure receptacle for receiving the parcel, the secure receptacle being positioned in a wall of an edifice, the secure receptacle having a secured opening from the exterior side of the wall and an unsecured opening from the interior side of the wall...(Col. 12, lines 30-48, Col. 13, lines 8-21, Col.19, lines 55-58 and Col. 22, lines 4-10);

a scanner...(Col. 16, lines 49-54);

a communication device...(Col. 16 lines 57-60)

As per claim 30, Ramsden, et al discloses:

a platform...(Col. 14, lines 30-32);

a door for selectively providing access...(Col. 14, lines 45-49);

a lock for securing the door...(Col. 14, lines 42-44).

As per claim 32, Ramsden, et al discloses:

released in response to a signal from the access device...(Col. 14, lines 42-44).

As per claim 34, Ramsden, et al discloses:

wherein the communication device transmits the information received from the scanner to a remote location...(Col. 16, lines 57-66, Col. 24, lines 1-6, lines 33-37).

As per claim 35, Ramsden, et al discloses:  
further comprising a button connected to the communication device for initiating a communication to a remote location...(Col. 8, lines 11-19).

As per claim 36, Ramsden, et al discloses:  
further comprising a scale for registering the weight of the parcel...(Col. 3, line 7).  
As per claim 37, Ramsden, et al discloses:  
further comprising a ruler for registering...(Col. 3, lines 8-9).  
As per claim 39, Ramsden et al discloses:  
Wherein the communication device is connected to the locking mechanism...(Col. 9, line 50-Col. 10, line 6, Where communication device is analogous to the control system).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 10, 20, 28, 38, are rejected under 35 U.S.C. 103(a) as being unpatentable over Ramsden, et al (US Patent 6,105,014).

As per claim 10, 28, Ramsden, et al fails to disclose:  
where in the placing step is performed at night...  
Official notice is taken that it is old and well known in the parcel delivery art to place the parcel within the secure receptacle at night. It would have been obvious to one of

ordinary skill in the art to place the parcel within the secure receptacle at night with the motivation of keeping the package secure by avoiding outside interferences that are reduced at night.

As per claim 20, Ramsden, et al fails to disclose:

wherein the authorized identifier is received from an access device...

Official notice is taken that it is old and well known in the parcel delivery for the authorized identifier to be received from an access device. It would have been obvious to one of ordinary skill in the art for the authorized identifier to be received from an access device with the motivation of only specified entities being able to securely retrieve the identifier and accessing the parcel.

As per claim 38, Ramsden, et al fails to disclose:

wherein the secure receptacle has a waterproof shell.

Official notice is taken that it is old and well known in the parcel delivery for the secure receptacle to have a waterproof shell. It would have been obvious to one of ordinary skill in the art for the secure receptacle to have a waterproof shell for the motivation of keeping the package together and guaranteeing security.

Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ramsden, et al (US Patent 6,105,014) and further in view of Scally, et al (US Patent 6,003,010).

As per claim 17, Ramsden, et al fails to disclose the following, however Scally, et al discloses:

including the additional step of dispatching a courier to the location of the secure receptacle...(Col. 1, line 12 and Col. 2, lines 30-34).

It would have been obvious to one of ordinary skill in the art to dispatch a courier to the location of the secure receptacle with the motivation of having a reliable source for parcel transport.

***Response to Arguments***

Applicant's arguments filed 5/9/02 have been fully considered but they are not persuasive.

As per claim 1, the applicant argues that Ramsden does not disclose a device for receiving a package being delivered by a carrier. However, Ramsden discloses this feature in Col. 9, lines 51-Col. 10, line 4). In this case, the package is being placed in the secure receptacle by the sender and will be picked up by a carrier.

As per claims 11 and 12 , the applicant argues that Ramsden does not disclose picking up packages from arbitrary locations but instead discloses a method where a carrier makes a predetermined route picking up packages. Ramsden does disclose the picking up of packages by following a manifest, however, within this manifest, different deposit locations are presented to the carrier (See Col. 11, lines 8-16).

As per claim 29, the applicant argues that Ramsden does not disclose the feature of the secure receptacle being secure from the outside but readily accessible from the inside. However, Ramsden discloses this feature in Col.19, lines 55-58 and Col. 22, lines 4-10). Here, Ramsden discloses that the outer door can be locked/unlocked and once the outer door is locked, the conveyor belt is activated which automatically activates the opening of the inner door.

***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Akiba K Robinson-Boyce whose telephone number is 703-305-1340. The examiner can normally be reached on Monday-Friday 8:30 am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on 703-305-9643. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7238 [After final communications, labeled "Box AF"], 703-746-7239 [Official Communications], and 703-746-7150 [Informal/Draft Communications, labeled "PROPOSED" or "DRAFT"].

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

*ARB*

A. R. B.  
July 29, 2002



TARIQ R. HAFIZ  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600